

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : **Confirmation No. 2538**
Cesare FUMO et al. : Attorney Docket No. 2004_0997A
Serial No. 10/500,298 : Group Art Unit 1762
Filed January 31, 2005 : Examiner William P. Fletcher

A METHOD OF FORMING A LAYERING : **MAIL STOP: AMENDMENT**
OF ELECTRONICALLY-INTERACTIVE
MATERIAL (AS AMENDED)



RESPONSE TO NON-COMPLIANT AMENDMENT

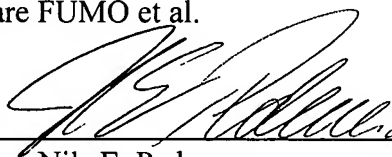
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the "Notice of Non-Compliant Amendment" dated August 7, 2007, submitted herewith is the Amendment and the substitute specification and abstract (marked-up and clean version) filed February 5, 2007, now correctly amending the title and subheading sections. Also enclosed is a copy of the Notice.

Respectfully submitted,

Cesare FUMO et al.

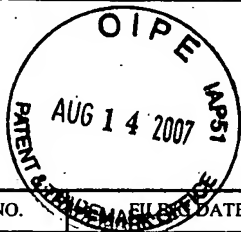
By: 
Nils E. Pedersen
Registration No. 33,145
Attorney for Applicants

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ACCOUNT NO. 23-0975

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August 14, 2007



UNITED STATES PATENT AND TRADEMARK OFFICE



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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/500,298

01/31/2005

Cesare Fumo

2004_0997A

2538

513 7590 08/07/2007
WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON, DC 20006-1021

EXAMINER

FLETCHER III, WILLIAM P

ART UNIT	PAPER NUMBER
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1762

MAIL DATE	DELIVERY MODE
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08/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

RECEIVED
AUG 08 2007

WENDEROTH, LIND & PONACK

**Notice of Non-Compliant
Amendment (37 CFR 1.121)**

Application No.

10/500,298

Examiner

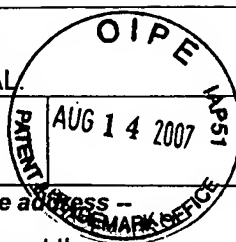
William P. Fletcher III

Applicant(s)

FUMO ET AL.

Art Unit

1762



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 09 May 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☒ 1. Amendments to the specification:
- ☒ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☒ C. Other See Continuation Sheet.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☐ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

William Phillip Fletcher III/

Legal Instruments Examiner (LIE), if applicable

(571) 272-1419

Telephone No.

Continuation of 1(c) Other: Double brackets [[]] may not be used to indicate the deletion of more than 5 characters (see p. 4, l. 4) of the substitute spec.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Cesare FUMO et al.

Serial No. 10/500,298

Filed January 31, 2005



: Confirmation No. 2538

: Attorney Docket No. 2004-0997A

: Group Art Unit 1762

: Examiner William P. Fletcher

SYSTEM TO FORM A LAYERING OF
ELECTRONICALLY-INTERACTIVE
MATERIAL

: **MAIL STOP: AMENDMENT**

AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of October 4, 2006, the period for response to which having been extended by one month to February 4, 2007, kindly amend the above-referenced U.S. patent application as follows:

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

AMENDMENTS TO THE TITLE

Please amend the title as follows:

A METHOD OF FORMING ~~SYSTEM TO FORM~~ A LAYERING OF ELECTRONICALLY-
INTERACTIVE MATERIAL